REMARKS/ARGUMENTS

Claims 1-5, 7-15, and 17-45 remain in this application. Claims 5 and 29 are currently amended. No new claims have been added by this amendment. No claims have been canceled by this amendment.

Claim 5 is amended based on the specification description in the sentence bridging pages 20-21 ("... maintain user activity information on the system"). Claim 29 has been amended to further clarify "product" label development forms part of the package support subsystem development being recited (e.g., see page 20, lines 2-5; pp. 33-34, bridging para.; page 47, third full para. et seq.). Claim 29 also has been amended based on the specification descriptions provided at pages 41-42 of the instant specification, in the paragraphs beginning with the headings "First Production Approval task **352**:" and "Resource release task **358**:", and with reference to FIG. 3 (see decision box **354**; and task box **358** and decision box **360**)), respectively. These descriptions in the specification and figures describe plant level approval and resource release tasks which form part of the inventive product development system. The amended claim 29 is thought to describe these tasks in greater clarity.

Objection To Claim 29

In paragraph 2 of the most recent Office Action, Claim 29 has been objected to because of informalities. The Office Action indicates that the "... subject matter 'plant approval request' in the claim is not described in the application disclosure and

treated as a typo ... the Examiner interprets it as 'plan approval request".

Applicants respectfully disagree, but in an earnest effort to advance prosecution have amended claim 29 in a manner thought to further clarify the subject recitation.

Applicants refer to pages 41-42 of the instant specification and with reference to FIG. 3 (see decision box **354**), the paragraph beginning with the heading "First Production Approval task **352**:", indicating that one or more assigned decision makers will be prompted by the project development system to indicate "yes" or "no" on whether plant level approval is given confirming that with plant can produce the product meeting established criteria on an on-going basis. Applicants have amended claim 16 to further clarify this feature of the claimed invention.

In view of the above, Applicants submit that the objection should be withdrawn.

Obviousness Rejections

I. In paragraph 4 of the most recent Office Action, Claims 1-5, 7-10, 40, 42 and 45 have been rejected under 35 USC §103(a) as being unpatentable over Goerz, Jr. et al. (U.S. Publication 2002/0065671, "Goerz"), and further in view of Gennaro et al. (U.S. Pat. No. 5,742,768, "Gennaro").

As an administrative matter, Applicants could not locate a citation for the Goerz patent on the most recent "Notice of References Cited", form PTO-892. Applicants request that Goerz be formally made of record.

Applicants respectfully traverse this rejection for at least the following reasons.

Goerz fails to teach or suggest the following claim 1 recitation:

> ... search for information on previous proposed projects stored in a database based on an inputted search request by a user

The Office Action (at page 3) references Page 10 [**0106**] of Goerz as purportedly teaching that "...Goerz' project development workspace may be updated by users connection and search is equivalent to Applicant's search for information on previous proposed projects stored in a database on an inputted search request by a user."

Applicants point out that Goerz option, described in [**0106**] thereof, of further augmenting or updating the secondary knowledge base **204** Website **8** information *after* initializing a project development workspace **202** for a particular project is not the same nor equivalent to Applicants' above-noted claim recitation providing for initial automated searching (screening) of new idea information describing a proposed new project against a prior project database through an interface with the automated project development tool, and not *after* initializing a project development workspace comparable to feature **202** of Goerz.

Goerz also fails to teach or suggest the following claim 1 recitation:

> evaluate the proposed new project using criteria including the search results for information on previously proposed projects to generate an evaluation document ...

The Office Action (at page 3) references Figs. 4 and 19C, and Page 5 [**0106**] and Page 8 [**0085**] of Goerz as purportedly teaching that "...Goerz' search the data vault and knowledge base, direct to the project life cycle's phases and further display pages of information on the screen is equivalent to Applicant's [above-noted claimed feature]."

Applicants point out that Page 8 [**0084**] and FIG. 13 of Goerz make it clear that the referenced "optional data vault **132**" may be used as an archival location for storing information associated with Website **8**, and that in one embodiment the data vault **132** stores indexed knowledge base **38** transactions, wherein a search of the indexed knowledge base produces a selection of information including, for example, information about potential business transactions **134A**, selected vendors **134B**, and project knowledge **134*n***. Moreover, according to Goerz, this information is used to conduct a business-to-business transaction, and not evaluate the proposed new project using criteria including the search results for information on previously proposed projects to generate an evaluation document.

Clearly, Goerz does not describe a computer-implemented project development system that is the same as or equivalent to "evaluate the proposed new project using criteria including the search results for information on previously proposed projects to generate an evaluation document".

Applicants also disagree with the Office Action's representation that Goerz, in Figs. 4 and 19C and Page 5 [**0063**], describes searching the knowledge base and directing the project life cycle's phases is "equivalent" to Applicant's receiving of idea information describing a new project. In actuality, the key word search feature **42** of Goerz allows the customer/user to create a search not otherwise defined in certain pre-defined super categories therein, which relate to most pertinent resources (not previous proposed projects) likely to fulfill the needs of a customer/user who initiates a search under a specific super category heading, and is efficient in that it is limited to searching the specially selected URLs **40** included in the indexed knowledge base **38**, rather than the entire universe of URLs available on the Internet, see [**0042**]-[**0043**].

The secondary reference to Gennaro fails to compensate for the above-identified differences between claim 1 and Goerz.

In the manner presently claimed in claim 1, users also are automatically provided contextual help in a passive manner as they navigate a cursor through selections and items shown on a screen without the user needing to personally click-on features or otherwise affirmatively go searching for assistance or explanations on the system.

Gennaro fails to describe or suggest a graphical user interface providing contextual help for users displayed as a pop-up or scroll in thumbnail windows appearing on the user's display screen when a user moves a cursor arrow and rests it on a button or heading in the displayed screen.

Instead, in Gennaro, a user interacts with a display window **30** and displayed web page **40** including a plurality of hot spots **44** that provide access to embedded menus including a number of links, each providing a link (which may or may not be a URL) to another web page or resource, which can be accessed by positioning pointer **42** over one of the hot spots **44** (col. 4, lines 21-42. However, instead of providing the contextual directly on the current displayed page by merely positioning and resting a cursor arrow on a button or heading in the screen, Gennaro explicitly requires the user to click on a displayed link of the embedded menu to reach the information (e.g., see col. 4, lines 45-48.) Indeed, Fig. 4, referenced in the Office Action, specifically shows that a "mouse event" includes a "*mouse click*" (see Gennaro's Fig. 4, decision boxes **68**, **82**). According to Gennaro, if the answer is "NO" to this "mouse click" inquiry, then Gennaro does not link to a destination URL associated with the selected menu option (see Fig. 4).

Moreover, Gennaro does not suggest that the embedded menus and displayed clickable links to information features may be used in a method and system for project customized business to business development with an indexed knowledge base of Goerz. The suggested advantages or motivations to such a combination as set forth in the paragraph bridging pages 4-5 of the Office Action

are speculative in Applicants' view, as they do not emanate from either relied upon reference per se.

Applicants submit that claims 2-5, 7-10, which depend from claim 1, are distinguished from Goerz and Gennaro for at least the same reasons as identified above relative to their parent claim, and reference is made thereto.

In addition, regarding claim 4, the Figs. 10-11 referenced in the Office Action in support of the rejection of this claim only appear to differentiate between registered and unregistered users, and not authenticating means for differentiating between external users and internal users, and controlling access of a given user to system resources based on the authenticating data supplied by the user when logging on. The significance of this claimed feature is explained, e.g., at page 11, first paragraph and page 20, last paragraph of the instant specification.

Also, regarding claim 5, the [**0074**] referenced in the Office Action in support of the rejection of this claim only appears to describe possible use of cookies for user registration, and not for developing a user profile of users and maintaining user activity information on the system.

Regarding claim 7, Applicants disagree with the reliance made in the Office Action upon the Goerz reference, in [**0060**], to e-mail addresses as an attribute of a listed URL of customers/users who may be available to participate in a business-to-business transaction as being relevant or suggestive of the claimed e-mail functionality in which "... e-mail documents can be separately sent or received by a user without the user needing to back out of the current screen being viewed."

Regarding claim 8, the Office Action references [**0093**] of Goerz, which Applicants note is a discussion of FIG. 17. That figure of Goerz nowhere refers to "e-mail" in any respect, much less refers to or suggests providing means which permits a user to select a name(s) of desired team members for recipients of e-mail in a window without having to scroll out of a screen to send the e-mail.

Regarding claim 9, the Office Action references Fig. 18F of Goerz. However, that figure nowhere teaches or suggests that means are provided for displaying project reports as printable browser-based documents.

Regarding claim 10, the Office Action references Fig. 18F, and paragraphs [**0054**], and [**0058**]; however, none of these teach or suggest "means displaying customized display screens for managerial review providing overview information for projects underway on the system".

Regarding independent claim 40, Goerz, at the paragraphs and figures cited in the Office Action regarding this claim, is understood to describe permitting users to view aspects of *initialized ongoing* projects, and nowhere teaches or suggests providing "a server which can retrieve stored information on previously submitted projects from computer database and pass the retrieved information to the display unit of the client from which the request was made". The differences do not end there.

Goerz, in referenced Fig. 18F and [**0009**], also fail to describe the claimed:

"... providing, for each of said project development phases, a set of task requirements necessary to complete each respective project development phase; [AND]

providing for each task requirement a means for determining the completion status of that requirement;[AND]

providing means for indicating the completion of each task requirement on the display unit".

Paragraph [**0009**], it is noted, references a "prior art ... www.ipanet.com" resource which is not used by Goerz in his system, and which Goerz specifically characterizes as follows; "[t]the ipanet.com Website did not address the need for business-to-business users to assemble an entire project online and in a secure environment." Therefore, reliance on [**0009**] in support of this rejection is ineffective.

The further references to Fig. 18F and paragraphs [**0058**], [**0063**], and [**0095**] in the Office Action in support of this rejection is also traversed in that none of these teach the particular combination of task management features as recited in claim 40.

Applicants also disagree that [**0093**] of Goerz describe "providing means for electronically messaging persons responsible for said tasks" (underlining added for emphasis). That claimed criterion and functionality is not taught by Goerz. Speculation can not be relied upon in lieu of a bona fide teaching or suggestion in the prior art to support the rejection.

Nor does the "prior art" referenced in paragraph [**0009**] of Goerz, for reasons explained above, teach the claimed feature of "providing gate means after each development phase which is in an open or closed state insofar as permitting the project to progress through the respective gate means, wherein each gate means is opened only when all the requirements for the given project development phase have been completed." Nor does reference to Fig. 18L bolster the rejection position in question. Fig. 18L does not appear to be separately discussed in the Goerz specification, much less in an enabling manner to explain to what is meant or intended by the remark: "Once the Owners Takes Over from the Contractor(s), The Challenge of Successful operation and Maintenance of the project Company Begins." It certainly does not fairly teach or suggest an automated multi-gated project planning system ("planning a plurality of project development phases", claim 1, clause 2) wherein "each [project] gate means is opened only when all the requirements for the given project development phase have been completed."

Goerz and Gennaro also fail to teach or suggest the graphical user interface feature and functionality as claimed in claim 40 for the same reasons already explained above in connection with this feature that is also recited in claim 1, and reference is made thereto.

Regarding claim 42, paragraphs [**0009**] and [**0008**] of Goerz relate to prior art characterizations and pose "wish-lists" of an more ideal project planning system, but they are not described as features incorporated into Goerz' system, nor how they are incorporated. Moreover, it is not apparent why possible resource management is equivalent to "means for changing the task requirements during project development." The task requirements

recited in the claim, as explained in the instant specification, are project development responsibilities assigned to personnel assigned to the project under development.

Regarding independent (method) claim 45, Applicants traverse this rejection for the same reasons set forth above relative to (system) claim 1 (clauses 1-7 thereof) and its dependent claim 8, and reference is made thereto. Claim 45 further indicates that the selecting means for permitting a user to select one or more names of desired team members for recipients of e-mail in a window relates to a user being able to selectively check boxes next to displayed names of the team members without having to scroll out of a screen to send the e-mail (page 21, lines 15-24; FIG. 7D).

In view of at least the above reasons, Applicants respectfully submit that a prima facie case of obviousness has not been established against any of the present claims 1-5, 7-10, 40, 42 and 45 based on the proposed combination of Goerz and Gennaro, and, accordingly, this rejection should be withdrawn.

II. In paragraph 5 of the most recent Office Action, Claims 11-28 have been rejected under 35 USC §103(a) as being unpatentable over Page et al. (U.S. Pat. 6,212,549, "Page") in view of Sandoval et al. (U.S. Pat. Publication 2003/0004766, "Sandoval"), and further in view of Chappel et al. (U.S. Publication 2003/0101089), "Chappel") and Gennaro et al. (U.S. Pat. No. 5,742,768, "Gennaro").

Applicants respectfully traverse for at least the following reasons.

The referenced Fig. 2 and descriptions at col. 6, lines 47-50, 59-63 and col. 6, line 64 to col. 7, line 7 of Page merely

refer to a searching tool **232** used to search through trackpoints in a trackpoint database **232** for *an ongoing project*, and not **a** system as claimed which can, among other features and aspects: "receive idea information describing a proposed new project; store information in a database on the proposed new project; search for information on previous proposed projects stored in a database based on an inputted search request by a user, and evaluate the proposed new project using criteria including the search results for information on previously proposed projects to generate an evaluation document …". Notification tool **234** and the custom book page **236** of Page appear to be even less relevant to the above-indicated presently claimed features in claim 11.

The Office Action acknowledges that Page does not specifically teach project idea managing or receiving idea information describing a proposed new project, but is understood to contend that Sandoval makes up for this difference and shortcoming of Page. However, whatever relevance Sandoval has to that claim feature, Sandoval fails to teach or suggest a method for automating a project development system which provides a graphical user interface providing contextual help for users displayed as pop-up or scroll in thumbnail windows appearing on the user's display screen when a user moves a cursor arrow and rests it on a button or heading in the screen, in combination with the other provisos recited in claim 11.

The additionally relied upon Chappel reference is understood to be relied upon in the Office Action as being relevant only to the separate recited claim feature of "… receive risk assessment information and process the risk assessment information to generate a risk assessment document." Applicants point out that

whatever relevance Chappel may (or may not) have to "quantitatively assessing risk on a project associated with a change proposal and providing an objective risk assessment", in the context of the present claimed system and method, that citation does not compensate for the above-discussed differences identified between independent claim 11 (or claim 29, discussed infra), and the Page and Sandoval, and those discussed infra in connection with the Gennaro reference. Namely, *inter alia*, referring to instant claim 11, Chappel does not teach or suggest a graphical user interface providing contextual help for users displayed as pop-up or scroll in thumbnail windows appearing on the user's display screen when a user moves a cursor arrow and rests it on a button or heading in the screen, for a computer-implemented project development system.

In the manner presently claimed in claim 11, users are automatically provided contextual help in a passive manner as they navigate a cursor through selections and items shown on a screen without the user needing to personally click-on features or otherwise affirmatively go searching for assistance or explanations on the system. The Office action acknowledges that Page, Sandoval and Chappel do not teach this claim feature (Office Action, paragraph bridging pp. 16-17).

To the extent the Office Action, at page 17 thereof, further relies upon Gennaro for such a "mouse-over" display feature, as styled in Office Action, that reliance is improper and for the reasons already set forth above in connection with the reply to the rejection to claim 1, and reference is made thereto.

As previously pointed out, in Gennaro, a user interacts with a display window **30** and displayed web page **40** including a plurality of hot spots **44** that provide access to embedded menus

including a number of links, each providing a link (which may or may not be a URL) to another web page or resource, which can be accessed by positioning pointer **42** over one of the hot spots **44** (col. 4, lines 21-42. However, instead of providing the contextual directly on the current displayed page by merely positioning and resting a cursor arrow on a button or heading in the screen, Gennaro explicitly requires the user to click on a displayed link of the embedded menu to reach the information (Fig. 4, elements **68**, **82**; col. 4, lines 45-48.).

Applicants submit that claims 12-28, which depend from claim 11, are distinguished from Page, Sandoval, Chappel, and Gennaro, for at least the same reasons as identified above relative to their parent claim, and reference is made thereto.

In view of at least the above reasons, Applicants respectfully submit that a prima facie case of obviousness has not been established against any of present claim 11 and its dependent claims 12-28, and, accordingly, this rejection should be withdrawn.

III. In paragraph 6 of the most recent Office Action, Claims 29-34 and 36-39 have been rejected under 35 USC §103(a) as being unpatentable over Page in view of Sandoval, and further in view of Chappel and Underwood (U.S. Pat. No. 6,718,535).

Applicants respectfully traverse for at least the following reasons.

Claim 29 is distinguished from Page, Sandoval and Chappel for at least the same reasons as explained supra in connection with claim 11. Reference is made thereto.

Additionally, Claim 29 further recites "routing the product proposal plan via the computer to a label development support subsystem, if the product proposal is accepted, for packaging label development; and receiving product label information into the computer from the label development support subsystem". These aspects of the invention are described, e.g., at page 20, first full para.; page 29, first full para.; pp. 33-34, bridging para.; and page 47 , line 4 et seq. of the instant specification; and FIGS. 8-9N.

When the instant claims themselves are construed properly, and in light of the corresponding specification teachings, it is unequivocally clear that the "product label" and "product label information" recited in claim 29 refer to actual product labeling as part of product packaging development, and NOT an electronic file, folder, etc., "labeling."

Contrary to the assertion made in the Office Action, Underwood does not teach or suggest routing a product proposal plan via a computer to a label and packaging development support subsystem, if the product proposal is accepted, for packaging label development; and receiving product label information into the computer from the label and packaging development support subsystem.

Instead, Underwood , at the citations of Fig. 116 and col. 272, lines 44-56, and Fig. 34 and col. 86, lines 44-51 relied upon in the Office Action, actually describes user-defined "labels" associated with "any version of any file or project… [a]fter one applies these labels, one can retrieve files associated with a particular state of your project" (col. 272, lines 44-56) which are illustrated a title "Label" shows "Operations Application v 1.0.5" (FIG. 116). Similarly, Underwood

illustrates an "Action" column in a screenshot under which items characterized as "Labeled 'ReTA Architecture v.1.0.4' (FIG. 34), etc., are used to "mark a specific set of files" (col. 86, lines 47-49).

Clearly, Underwood teaches nothing about "routing the product proposal plan via the computer to a product label and packaging development support subsystem, if the product proposal is accepted, for packaging label development; [and] receiving product label information into the computer from the label and packaging development support subsystem."

Applicants submit that claims 30-34, 36-39, which depend from claim 29, are distinguished from Page, Sandoval, Chappel, and Underwood, for at least the same reasons as identified above relative to their parent claim, and reference is made thereto.

In view of the above, Applicants respectfully submit that a prima facie case of obviousness has not been established against any of the present claims based on the proposed combination of Page, Sandoval, Chappel, and Underwood, and, accordingly, this rejection should be withdrawn.

IV. In paragraph 7 of the most recent Office Action, Claim 41 has been rejected under 35 USC §103(a) as being unpatentable over Goerz in view of Gennaro et al., as applied to claims 40 and 42, and further in view of Kidder et al. (U.S. Publication 2004/0031030; "Kidder").

Applicants respectfully traverse for at least the following reasons.

First, Applicants again dispute the characterization made in the Office Action that Gennaro (or "Gennaro-Goerz" for that matter) teaches a so-called "mouse-over" feature for automatically displaying text under a pointer. As pointed out above, Gennaro actually requires "clicking" on a link in order to direct the user to further information.

Regarding the recited "further ... means to approve access and access levels of users to the computer access" feature, Applicants point that Kidder is not directed to an automated computer-implemented project development system or method of its use. Instead, Kidder provides a method and apparatus for facilitating "hot" upgrades of software components within a telecommunications network device through the use of "signatures" generated by a signature generating program (Abstract; paras. [**0013**]-[**0017**]).

The Office Action does not identify any description in the relied upon references of Goerz, Gennaro or Kidder that might have served as a teaching, suggestion or incentive motivating one of ordinary skill in the art to modify a computer-implemented project development system as described in Goerz, or Gennaro, based on anything that Kidder describes in the context of a "hot" software upgrade provision system.

When selectively combining prior art references in an effort to render obvious an invention, there must be some reason for the proposed combination other than the hindsight gleaned from the present invention itself. Something in the prior art as a whole must suggest the desirability of making the combination. Whether it may be obvious to try various combinations of features that

can be identified in different prior art references is not relevant to the applicable standard under 35 U.S.C. §103.

Even ignoring the evidence for the moment, for sake of argument only, that no bona fide motivation is present to support the modification of Goerz, or Gennaro, in view of Kidder as proposed in the Office Action, the proposed combination still falls short of the presently claimed invention from a technical standpoint.

In view of the above, Applicants respectfully submit that a prima facie case of obviousness has not been established against present claim 41 based on the proposed combination of Goerz, Gennaro, and Kidder, and, accordingly, this rejection should be withdrawn.

V. In paragraph 8 of the most recent Office Action, Claim 43 has been rejected under 35 USC §103(a) as being unpatentable over Goerz in view of Gennaro et al., as applied to claim 1, and further in view of Underwood

Applicants respectfully traverse for at least the following reasons.

Applicants again dispute the characterization made in the Office Action that Gennaro (or "Gennaro-Goerz" for that matter) teaches a so-called "mouse-over" feature for automatically displaying text under a pointer. As pointed out above, Gennaro actually requires "clicking" on a link in order to direct the user to further information.

As also pointed out supra, none of the relied upon references, including Underwood, teach or suggest integrating a product label and packaging development support managing subsystem or software operational to permit users to participate in a uniform product label and packaging development process, much less how one might go about such an integration. The present specification describes the features and advantages of the product label and packaging development support managing subsystem in detail (e.g., page 20, first full para.; page 20, first full para.; page 29, first full para. et seq.; FIGS. 4, 8, 9A-9N).

Underwood, as noted supra, actually describes user-defined "labels" as associated with electronic files, not product packaging development.

In view of the above, Applicants respectfully submit that a prima facie case of obviousness has not been established against present claim 43 based on the proposed combination of Goerz, Gennaro, and Underwood, and, accordingly, this rejection should be withdrawn.

VI. In paragraph 9 of the most recent Office Action, Claim 44 has been rejected under 35 USC §103(a) as being unpatentable over Page in view of Sandoval, Chappel, Gennaro, and further in view of Underwood.

Applicants respectfully traverse for at least the following reasons.

As pointed above, Gennaro (or its combined teaching with Page, Sandoval, Chappel for that matter) any "mouse-over" feature of Gennaro for automatically displaying text under a pointer actually requires "clicking" on a link in order to direct the

user to further information.

As also pointed out supra, Underwood describes electronic file "labeling", and not product labeling as part of actual product packaging development.

In view of the above, Applicants respectfully submit that a prima facie case of obviousness has not been established against present claim 44 based on the proposed combination of Page, Sandoval, Gennaro, and Underwood, and, accordingly, this rejection should be withdrawn.

CONCLUSION

In view of the above, it is believed that this application is in condition for allowance, and notice of such is respectfully requested.

Respectfully submitted,

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